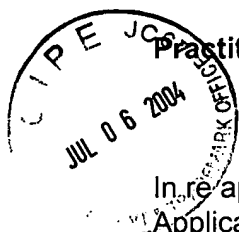


07-07-04

for



Practitioner's Docket No. 1012-137C1

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Hajduk et al.

Application No.: 10/772,522

Group No.: 2862

Filed: 02/05/2004

Examiner:

For: HIGH THROUGHPUT MECHANICAL PROPERTY TESTING OF MATERIALS
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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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Applicants submit this statement in accordance with their duty of disclosure under 37 CFR 1.56 and 1.97-1.98. The submission made herewith is in no way intended as an admission that the cited items constitute material prior art or otherwise would render the claims unpatentable in any way. The submission also is in no way intended to substitute for the Examiner's own independent investigation.

Listings on forms PTO/SB/08A and PTO/SB/08B are submitted herewith. Copies of cited references have not been provided due to the waiver of their presence in the parent application. Applicants respectfully solicit the Examiner's consideration of the cited references and entry thereof into the record of this application.

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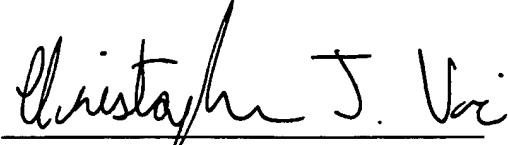
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Sheet **1** of **3**

Complete if Known

Application Number	10/772,522
Filing Date	02/05/2004
First Named Inventor	Damian A. Hajduk et al.
Group Art Unit	2862
Examiner Name	
Attorney Docket Number	1012-137C1

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
		1,870,412		Kennedy	08/09/1932	
		3,071,961		Heigl et al.	01/08/1963	
		3,675,475		Weinstein	07/11/1972	
		3,713,328		Aritomi	01/30/1973	
		3,798,960		Glass	03/26/1974	
		3,805,598		Corcoran	04/23/1974	
		3,818,751		Karper et al.	06/25/1974	
		3,849,874		Jeffers	11/26/1974	
		3,895,513		Richardson	07/22/1975	
		3,908,441		Virloget	09/30/1975	
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		4,229,979		Greenwood	10/28/1980	
		4,447,125		Lazay et al.	05/08/1984	
		4,517,830		Gunn, deceased et al.	05/21/1985	
		4,567,774		Manahan et al.	02/04/1986	
		4,570,478		Soong	02/18/1986	
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		4,602,501		Hirata	07/29/1986	
		4,680,958		Ruelle et al.	07/21/1987	
		4,685,328		Huebner et al.	08/11/1987	

FOREIGN PATENT DOCUMENTS

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		Office ³	Number ⁴	Kind Code ⁵ (if known)				
			JP402297040A		Akaha Toru	12/07/1990		
			WO96/11878		Univ. of Calif.	04/25/1996		
			EP0317356A2		Chichibu Cement	05/24/1989		
			WO0051720		Symyx Technologies	09/08/2000		
			WO00/17413		Symyx Technologies	03/30/2000		
			WO01/79949A2		Symyx Technologies	10/25/2001		
			WO98/15501		Symyx Technologies	04/16/1998		
			WO99/18431		Symyx Technologies	04/15/1999		

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Sheet	2	of	3												

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		4,740,078		Daendliker et al.	04/26/1988	
		4,749,854		Martens	06/07/1988	
		4,789,236		Hodor et al.	12/06/1988	
		4,793,174		Yau	12/27/1988	
		4,829,837		Telfer	05/16/1989	
		4,893,500		Fink-Jensen	01/16/1990	
		4,899,575		Chu et al.	02/13/1990	
		4,932,270		Lurie et al.	06/12/1990	
		5,008,081		Blau et al.	04/16/1991	
		5,051,239		von der Goltz	09/24/1991	
		5,115,669		Fuller et al.	05/26/1992	
		5,142,900		Duke	09/01/1992	
		5,193,383		Burnham et al.	03/16/1993	
		5,236,998		Lundeen et al.	08/17/1993	
		5,271,266		Eschbach	12/21/1993	
		5,272,912		Katsuzaki	12/28/1993	
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		5,305,633		Weissenbacher et al.	04/26/1994	
		5,452,619		Kawanabe et al.	09/26/1995	

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Sheet 3

3

of

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Application Number	10/772,522
Filing Date	02/05/2004
First Named Inventor	Damian A. Hajduk et al.
Group Art Unit	2862
Examiner Name	
Attorney Docket Number	1012-137C1

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Application Number	10/772,522
Filing Date	02/05/2004
First Named Inventor	Hajduk et al.
Group Art Unit	2862
Examiner Name	
Attorney Docket Number	1012-137C1

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		Number	Kind Code ² (if known)			
		6,242,623 B1		Boussie et al.	06/05/2001	
		6,225,487 B1		Guram	05/01/2001	
		6,225,550 B1		Hornbostel et al.	05/01/2001	
		6,248,540 B1		Weinberg et al.	06/19/2001	
		6,260,407 B1		Petro et al.	07/17/2001	
		6,265,601 B1		Guram et al.	07/24/2001	
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		6,294,388 B1		Petro	09/25/2001	
		6,296,771 B1		Miroslav	10/02/2001	
		6,092,414		Newman	07/25/2000	
		6,050,138		Lynch et al.	04/18/2000	
		6,040,193		Winkler et al.	03/21/2000	
		6,033,913		Morozov et al.	03/07/2000	
		6,010,616		Lewis et al.	01/04/2000	
		5,999,887		Giannakopoulos et al.	12/07/1999	
		5,922,967		Motoyama	07/13/1999	
		5,892,157		Syre	04/06/1999	
		5,877,428		Scolton	03/02/1999	
		5,847,283		Finot et al.	12/08/1998	

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				Application Number	10/772,522
				Filing Date	02/05/2004
				First Named Inventor	Damian Hajduk et al
				Group Art Unit	2862
				Examiner Name	
Sheet	1	of	1	Attorney Docket Number	1012-137C1

U.S. PATENT DOCUMENTS						
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		Number	Kind Code ² (if known)			
		5,817,947		Bergerus	10/06/1998	
		5,723,792		Miyazaki	03/03/1998	
		5,532,942		Kitamura et al.	07/02/1996	
		5,520,042		Garritano et al.	05/28/1996	
		5,517,860		Lin et al.	05/21/1996	
		5,452,614		Kato et al.	09/26/1995	
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		5,398,885		Andersson et al.	03/21/1995	
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		4,605,589		Orphanides	08/12/1986	
		4,975,320		Goldstein et al.	12/04/1990	
		6,043,317		Mumick et al.	03/28/2000	

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Application Number		10/772,522	
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First Named Inventor		Damian A. Hajduk et al.	
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		5,776,359		Schultz et al.	07/07/1998	
		5,959,297		Weinberg et al.	09/28/1999	
		5,985,356		Schultz et al.	11/16/1999	
		6,004,617		Schultz et al.	12/21/1999	
		6,013,199		McFarland et al.	01/11/2000	
		6,030,917		Weinberg et al.	02/29/2000	
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		6,034,240		La Pointe	03/07/2000	
		6,043,363		LaPointe et al.	03/28/2000	
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		6,087,181		Cong	07/11/2000	
		6,124,476		Guram et al.	09/26/2000	
		6,151,123		Nielsen	11/21/2000	
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		6,203,726 B1		Danielson et al.	03/20/2001	

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			WO 00/67086		Symyx Technologies, Inc.	11/09/2000		
			WO 0036410		Symyx Technologies, Inc.	06/22/2000		
			WO 00/40331		Symyx Technologies, Inc.	07/13/2000		
			WO 00/23921		Symyx Technologies, Inc.	04/27/2000		

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Sheet	1	of	0
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Application Number	10/772,522
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Examiner Name	
Attorney Docket Number	1012-137C1

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		YOUNG, W.C., Roark's Formulas for Stress and Strain, 1989	
		OSTERBERG, Peter M. and Stephen D. Senturia, "M-TEST: A Test Chip for MEMS Material Property Measurement Using Electrostatically Actuated Test Structures," Journal of Microelectromechanical Systems, Vol. 6, No. 2, June 1997	
		KIM, J.O. and B. Lewis Slaten, "Objective Assessment of Fabric Handle in Fabrics Treated With Flame Retardants," Journal of Testing and Evaluation, JTEVA, Vol. 24, No. 4, July 1996, pp. 223-228.	
		GROVER, G. et al., "A Screening Technique for Fabric Handle", J. Text. Inst., 1993, 84 No. J. Textile Institute, pp. 486-494.	
		PAN, NING and K.C. Yen, "Physical Interpretations of Curves Obtained Through the Fabric Extraction Process for Handle Measurement," Textile Research Journal 62(5), pp. 279-290 (1992).	
		"Handle-O-Meter", Thwing-Albert Instrument Company, Philadelphia, PA.	
		RAEEL, MASTURA and Jiang Liu, "An Empirical Model for Fabric Hand" Textile Research Journal 62, 1, pp. 31-38 (1991).	
		ALI, S.I. and Shahida Begum, "Fabric Softeners and Softness Perception", Ergonomics, v.37, No. 5, pp. 801-806 (1994).	

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Application Number	10/772,522
Filing Date	02/05/2004
First Named Inventor	Damian A. Hajduk et al.
Group Art Unit	2862
Examiner Name	
Attorney Docket Number	1012-137C1

OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		U.S. Patent Application Serial No. 09/939,404 entitled "High Throughput Mechanical Property and Bulge Testing of Material Libraries," (D. Hajduk et al.) filed on August 24, 2001.	
		U.S. Patent Application Serial No. 09/939,252 entitled "High Throughput Mechanical Rapid Serial Property Testing of Material Libraries," (P. Mansky) filed on August 24, 2001.	
		U.S. Patent Application Serial No. 09/939,139 entitled "High Throughput Fabric Handle Screening," (M. Kossuth et al.) filed on August 24, 2001.	
		U.S. Patent Application Serial No. 09/939,149 entitled "High Throughput Rheological Testing of Materials," (P. Mansky et al.) filed on August 24, 2001.	
		U.S. Patent Application Serial No. 09/938,994 entitled "High Throughput Mechanical Property Testing of Materials Libraries Using a Piezoelectric," (D. Hajduk) filed on August 24, 2001.	
		The family of applications for U.S. Patent Application Serial No. 09/580,024 entitled "Instrument for High Throughput Measurement of Material Physical Properties and Method of Using Same," (Carlson, et al.) filed on May 26, 2000	
		U.S. Application Serial No. 09/801,165 entitled "Method and Apparatus for Characterizing Materials By Using a Mechanical Resonator" filed March 7, 2001	
		U.S. Application Serial No. 09/578,997 entitled "High Throughput Viscometer and Method of Using Same" filed May 25, 2000	

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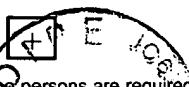
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		U.S. Application Serial No. 09/420,334 entitled "Graphic Design of Combinatorial Material Libraries" (Lacy, et al.) filed on October 18, 1999	
		U.S. Patent Application Serial No. 09/305,830 titled "Synthesizing Combinatorial Libraries of Materials" (Rust, et al.) filed on May 5, 1999	
		U.S. Application Serial No. 09/550,549 entitled "Automated Process Control And Data Management System And Methods" (Crevier, et al.) filed on April 14, 2000	
		U.S. Application Serial No. 09/755,623 entitled "Laboratory Database System and Methods For Combinatorial Materials Research" (Dorsett, Jr., et al.) filed on January 5, 2001.	
		The family of applications for U.S. Application Serial No. 09/227,558 entitled, "Apparatus and Method of Research for Creating and Testing Novel Catalysts, Reactions and Polymers" (Turner et al.) filed January 8, 1999	
		U.S. Application Serial No. 09/235,368 entitled "Polymerization Method From the Combinatorial Synthesis and Analysis of Organometallic Compounds and Catalysts" (Weinberg et al.) filed on January 21, 1999	
		U.S. Provisional Application Serial No. 60/122,704 entitled "Controlled, Stable Free Radical Emulsion and Water-Based Polymerizations" (Klaerner et al.) filed on March 9, 1999	
		The family of applications for U.S. Application Serial No. 09/567,598 entitled "Polymer Libraries on a Substrate, Method for Forming Polymer Libraries on a Substrate and Characterization Methods with Same" (Boussie et al.) filed May 10, 2000	
		The family of applications for U.S. Patent Application Serial No. 09/174,856 titled "Graphic Design of Combinatorial Material Libraries" (Lacy, et al.) filed on October 19, 1998.	
		ODIAN, Principles of Polymerization, 3rd Ed., John Wiley & Sons, Inc. (1991)	
		TIMOSHENKO, S., Theory of Plates and Shells, McGraw-Hill, New York 1940	

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		"DMA 2980 Dynamic Mechanical Analyer," http://www.tainst.com/dma2.html , 12/29/00	
		"Introducing the NEW DMTA V!", http://www.rheometricsscintific.com/dmtaV.htm , 12/29/00	
		"Standard Test Method for Rubber Property-Intrenational Hardness," American Society for Testing and Materials	
		AMITAY-SADOVSKY, ELLA and H. Daniel Wagner, "Evaluation of Young's Modulus of Polymers from Knoop Microindentation Tests" Polymer Communications, 1998, vol. 39, no. 11, pp. 2387-2390.	
		CALLEJA, F.J. BALTA, "Microhardness Studies of Polymers and Their Transitions" TRIP, December 1994, vol. 2, no. 12, pp. 419-425	
		BOWLT, C., "A Simple Capillary Viscometer" Physics Education, March 1975, vol. 10, no. 2, pp. 102-103	
		LACOMBE, ROBERT H. and Jeremy Greenblatt, "Mechanical Propoerties of Thin Polyimide Films" pp. 647-668	
		SHINOZAKI, D.M. and Y. Lu, "Micro-Indentation Relaxation Measurements in Polymer Thin Films" Journal of Electronic Materials, 1997, vol. 26, no. 7, pp. 852-858	
		WIERENGA, P.E. and A.J.J. Franken, "Ultramicroindentation Apparatus for the Mechanical Characterization of Thin Films" J. Appl. Phys., June 15, 1984, 55 (12).	
		European Search Report dated December 10, 2001	

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